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12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA
15
16 SAN FRANCISCO DIVISION
17

18 UNITED STATES OF AMERICA

19 v.

20 ALVIN FLORIDA, JR.,
21 ROBERT ALHASHASH RASHEED,
22 JOHN LEE BERRY, III, and
23 REFUGIO DIAZ,
24
25 Defendants.

CASE NO. CR 4:14-00582 JD

**JOINT PROPOSED STATEMENT OF THE
CASE**

Court: The Honorable James Donato
Trial Date: December 5, 2016

1 The government and undersigned defense counsel jointly submit the following statement of the
2 case:

3 This is a criminal case in which the defendants, Alvin Florida, Robert Rasheed, John Berry, and
4 Refugio Diaz are charged in one count of the following offense: Entering into and engaging in a
5 combination and conspiracy to suppress and restrain competition by rigging bids to obtain selected
6 properties offered at public foreclosure auctions in Alameda County in unreasonable restraint of
interstate trade and commerce in violation of Section 1 of the Sherman Act.

7 While this is a criminal case, it does not involve any crime of violence or any state or municipal law
8 enforcement personnel such as the Oakland or San Francisco Police Department.

9 The defendants additionally propose the following language:

10 Moreover, the charged offense in this case is not evidence. All defendants have plead not guilty to
the offense, and are presumed innocent of the offense.

11 The Government objects to this additional language on the basis that it is already covered by the
12 preliminary jury instructions. *See* Dkts. 244at 5 (Joint Proposed Instruction No. 2); 284 at 17
13 (adopting jointly proposed instructions).

14 DATED: December 1, 2016

Respectfully submitted,

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16 _____/s/_____
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21 _____/s/_____
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